

SHER TREMONTE LLP

September 26, 2017

**VIA ECF**

The Honorable Ronnie Abrams  
United States District Judge  
United States District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Galanis et al.*, 16-cr-371 (RA)**

Dear Judge Abrams:

We write on behalf of our client, Gary Hirst, in reply to the government's letter, dated September 25, 2017, opposing our request for an adjournment of the October 2, 2017 motions deadline. We also join the letter submitted on behalf of Mr. Hirst's co-defendants Devon Archer and Bevan Cooney, filed today, September 26, 2017.

As mentioned in our adjournment request, we continue to review the discovery in this case, which now exceeds 3 million documents. We have been diligently reviewing these documents as we receive them. The letter submitted earlier today by Messrs. Archer and Cooney explains why the government's statement that we have been in possession of the discovery for "almost a year and a half" is disingenuous.

The government also argues that Mr. Hirst has no basis to raise any issue related to the Archer/Cooney search warrant. That is wrong. The emails may give rise to motions by Mr. Hirst and other defendants, such as motions for severance – a distinct possibility in a case where five of the seven defendants remain in the case. But the defense is in no position to evaluate the feasibility of any such motions without first receiving all of the discovery.

Further, we agree with counsel for Messrs. Archer and Cooney that it makes no sense to proceed with piecemeal motions when trial is still more than four months away. The government should simply move expeditiously to produce the remainder of the discovery and then, as is the normal course in every case, the defense should have an opportunity to make motions based on the evidence the government has produced.

Hon. Ronnie Abrams

September 26, 2017

Page 2 of 2

Accordingly, and for the reasons stated in our original motion, we respectfully request that the Court adjourn the October 2, 2017 motions deadline.

Respectfully submitted,

/s/ Michael Tremonte

Michael Tremonte

Noam Biale

SHER TREMONTE LLP

cc: All counsel (via ECF)